

THE DAILY COMMONWEALTH.

VOL. 3.

FRANKFORT,

PRINTED AND PUBLISHED BY
A. G. Hodges, Thos. J. Todd, John W. Pruet & John W. Fimell,
UNDER THE FIRM OF
A. G. HODGES & CO.

J. W. FINNELL, EDITOR.

TERMS OF SUBSCRIPTION:
For the "DAILY COMMONWEALTH," during the Session of the Legislature, \$1 in advance.
The "DAILY COMMONWEALTH," printed on a large manum, sheet, will be forwarded to subscribers at \$2, in advance, or \$2 50 at the expiration of six months.

The "WEEKLY COMMONWEALTH" will be furnished to subscribers during the Session of the Legislature, for 50 cents in advance.

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And for each insertion of the same advertisement, over 10 and not exceeding 20 lines, \$1 00.

No longer advertisements will be inserted on liberal terms.

General Advertisements.

INSURANCE.

THE LEXINGTON FIRE, LIFE AND MARINE INSURANCE COMPANY.

CHARTERED IN 1836.

CAPITAL—\$300,000!

WILL insure Buildings, Furniture, Merchandise, &c., against loss or damage by fire, in town or country. Steam and Keel boats, and their cargoes, against the damages of river navigation.

The lives of Slaves are also insured by this Company.

R. H. CRITTENDEN, Agent.

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September 8, 1846—725-ff

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Feb. 17, 1846—697-ff

LAW NOTICE.
TITCH MUNGER, Attorney at Law, Carlisle, Nicholas County, Kentucky.

WILL attend to any business referred to him in the county of Nicholas and surrounding counties.

Refer to S. T. WALL, Covington, Ky.

N. E. FINNELL, Mayfield, Ky.

JOHN W. FINNELL, Frankfort.

Carlisle, Sept. 8, 1846—726-ff

WILLIAM SAMPSON, ATTORNEY AT LAW, BUCKSVILLE, KENTUCKY, will practice in the Courts held in Cumberland and the adjoining counties.

March 17, 1846—501-ff

MANSION HOUSE, Corner of Main and St. Clair Streets, Frankfort, Ky.

A. J. WEST, late of Cynthiana, and Mrs. E. P. GRIMES, of the Olympian Springs, respectfully announce to their friends and the public generally, that they have taken this house, and will make it their permanent residence, continuing their pursuits in the best manner. The house is elegantly situated, being about equidistant from the Steamboat Landing and the Capital grounds; now undergoing a thorough retiting and repairing, in such a style as to make it rank among the very best houses in the West.

The proprietors will endeavor, in all things, to promote the comfort and convenience of those who may honor them with a visit, and hope that their long experience in the business will entitle them to merit a general public favor.

The house is large and comfortable, the family rooms are unassisted, in beauty and comfort by any house in the State. Guests and their baggage are to be accommodated, and from the Railroad depot and Steamboat Landing in coaches, four chairs. All expenses necessary paid, or start from this house daily.

A. J. WEST, Frankfort, Ky., Dec. 8, 1846—7-9-ff

WEISIGER HOUSE, FRANKFORT, KY.

THOMAS S. HEDGEBOLD hereby informs the numerous passengers of this old and celebrated House, his friends and the public generally, that having purchased the extensive Hotel business, furniture, fixtures, and chattels, and become sole proprietor, he will henceforth conduct the same under the name of the Weisiger House, of the best Hotels in the Union, special attention and supervision being directed to every department connected with the accommodation, comfort and enjoyment of guests. The sole proprietor, however, has the pleasure to inform the Friends of the Grange, which will be abundantly provided and arranged with the view to the most satisfactory of every convenience, sumptuous and elegant, both in winter and summer. Strict attention will be given to the service of stage, steam and railroad passengers, and to all the conveniences of travel and departure, leaving no detail unattended in this respect.

The elegance of the Weisiger House, as a summer abode for Southern families, is submitted for their consideration. The city is now consequently ardent in Frankfort, uniting as it does the advantages of a large city with the present session of a rural retreat, commanding it strongly to Southern pleasure, in every well sustained, December 8, 1846—695-ff

MOST PLEASANT HOUSE OF ENTERTAINMENT, LEXINGTON HILL.

THE subscriber still continues to keep the above named House, for the accommodation of travelers, on reasonable terms. Those who have particular attention to his business, may call him at any time.

He is likewise, a well selected assortment of FAMILY GROCERIES, which he intends to keep up, which he will sell low for cash or exchange for country produce.

Nov. 23, 1846—695-ff

JAMES R. PAGE,

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DR. WILLIAM D. DAVIS, Resident Dentist, Frankfort, Kentucky.

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C. S. Morehead, Esq., Dr. G. Pythian.

Dr. E. H. Watson.

Charges moderate. Office at the corner of Main and Ann streets, over Dr. Crutchell's Drug Store.

December 29, 1846—742-ff

HOUSE AND LOTS FOR SALE.

DESIRING to take a residence more retired, I will sell, if early application be made, my house and lots in Frankfort, on Ann and Metro streets. The buildings are in excellent order, and embrace superior conveniences for a town residence. The garden is perhaps one of the best stocked, for the size, in the Western country. The house is well adapted to the climate, necessary to the ornamental trees, grape, shrubbery, flowers, &c., &c., &c., is exceedingly choice in every department, among which are nearly 100 varieties of superb roses.

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CEMETERY LOTS.

PERSONS desirous to procure lots in the NEW CEMETERY, can do so by calling on E. H. TAYLOR, Treasurer.

Those persons who have already purchased, will please call on him at the Bank, pay the first installment, and execute their notes for the two last installments.

Frankfort, Nov. 4, 1846—692-ff

NOTICE.

ALL persons invited to me by note or account, are requested to call upon W. T. Herndon, who is ready to receive the same.

Oct. 29, 1846—691-ff

M. R. STEALEY.

All interested in the foregoing notice are requested call at once and settle and pay up.—The same being transferred. No indorsement can be given.

W. T. HERNDON.

FRANKFORT,

KENTUCKY, JANUARY 8, 1847.

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THE DAILY COMMONWEALTH.

FRANKFORT, FRIDAY, JAN. 8, 1847.

KENTUCKY LEGISLATURE.

IN SENATE.

THURSDAY, JANUARY 7, 1847.

The Senate was opened with prayer by Rev. Mr. Norton, of Episcopal Church.

Mr. McNARY, Senator elect from the counties of Ohio, Muhlenburg and Butler, appeared and took the oath of office, administered by H. Wingate, Esq.

Petitions were presented by the following Senators, viz: Messrs. Jaimes, Crenshaw, Slaughter, McNary and Bristow.

Mr. WALKER, from the Committee on Propositions and Grievances, reported a bill from H. R., for the benefit of Nancy Cox, changing her name to Nancy Davis; passed.

Also, a bill from H. R., for the benefit of Isabella Morton, changing her name to Isabella Russell; passed.

Also, a bill from H. R., to change the names of Win. Coffield and Richard M. Womack to Wm. and Richard M. Ford; passed.

Also, a bill from H. R., to change the name of James P. Conklin to that of J. P. Hagan; passed.

Also, a bill to authorize the Trustees of Parsonage of the Methodist Episcopal Church, South, in town of Elkhorn, to sell said Parsonage; passed.

Also, a bill from H. R., to change the name of Polixina McDaniel to that of Polixina Hall; passed.

Mr. J. SPEED SMITH, from the Committee on Internal Improvement, reported a bill from H. R., authorizing the use of surplus water power at dam No. 3, on Green river, on certain conditions; passed.

The SPEAKER laid before the Senate the annual Report of the Commissioners of the Sinking Fund, which was ordered to be printed, and referred to the Committee on the Sinking Fund.

On motion of Mr. EVANS, the following resolution was adopted, viz:

Resolved, That the Committee on the Judiciary inquire into the expediency of passing a law authorizing Circuit Court Judges to change the names of persons desiring such change, and that they report by bill or otherwise.

Leave was given to bring in the following bills, viz:

Mr. TODD, a bill concerning conveyances of property made in trust; referred.

Mr. PEYTON, a bill to authorize the Board of Internal Improvement to compromise and settle with S. STOUT; referred.

Mr. BRAMLETTE, a bill to incorporate Clinton County Seminary; referred.

Also, a bill to amend an act concerning the town of Albany; referred.

Mr. SWOPE, a bill for the benefit of Wm. Rowlett, of Owen county; referred.

Mr. EVANS, a bill to amend the election laws of this State; referred.

Mr. HAWKINS moved to take up the resolution appointing a day to go into the election of U. S. Senator, which motion was negatived, by a vote of 18 to 17.

Orders of the Day.

The Convention bill coming up as the special order of the day, the Senate resolved itself into committee of the whole, Mr. RICE in the chair, and entered upon the consideration of the said bill.

Mr. HARRIS offered a substitute for the original bill, the most important section of which is as follows, viz:

Sect. 7. *Be it further enacted*, That it shall be the duty of the Commissioners of Tax to open a column in their Commissioner's books, and enroll therein the name of each citizen entitled to vote for Representatives for the year 1847; and they shall be governed in all cases in ascertaining who is entitled to vote, by the laws now in force to prevent illegal voting, and this column, written in a fair and legible hand, shall be transmitted with the Commissioner's books, to the Auditor, who shall make out a copy thereof and deposit the same in the office of the Secretary for the time being, who shall transmit the same to the next Legislature as a list of those who are entitled to vote for Representatives, in order that the Legislature may have the means to ascertain whether a majority of the citizens of the State entitled to vote for Representatives have voted for a Convention.

Mr. PEYTON offered an amendment, providing for the appointment of Commissioners by the County Courts to take a census of all the legal voters in the State, commencing in July.

Mr. PEYTON, wished to provide some means, by which all who should be entitled to vote in August next, should be enumerated, and it was with this view, he proposed the amendment, believing that it would effect the object better than would the plan proposed in the substitute offered by the Senator from Floyd. Under the latter, all who arrive at the age of 21, all who have temporarily left the State, and all who remove into the county, in the interval between the time of the Commissioners taking in their lists and the August election, will be lost in the enumeration of the legal voters of the State.

Mr. HARRIS, objected to the amendment of the Senator from Breckinridge; that it involved an unnecessary expense, with which he was unwilling to burthen the State. He asked no undue advantage for the friends of a convention. The plan proposed in his substitute, offered a fair test, by which the whole vote of the State could be ascertained. He deemed it entirely useless to be so particular in this matter. The popular vote on this question will not be of a character to require any very exact enumeration of the whole number of the legal voters of the State, in order to ascertain whether a majority of them have voted for a convention. The majority for a convention will be overwhelming, whenever the question is submitted to the people.

Mr. BUTLER, was satisfied that all the Senators were aiming at the same object, but differed in opinion as to the proper means by which the common purpose was to be secured. He was somewhat more advanced in years than the Senator from Floyd, and had lost much of that ardent feeling, with which in his younger days, he was wont to support any proposition that captivated his fancy. He attributed to this feeling the prophetic declaration of his friend from Floyd, that the convention measure would find in the country such a tremendous majority in its favor. He feared that the popular vote on the question might be closer than was imagined. At all events, it was the part of wisdom to provide against a result, which might involve consequences, the frightful detail of which, he would not detain the Senate to enumerate.

Mr. HELM, thought that greater care was manifested in the preparation of this bill, than in any convention bill he had ever seen. The Commissioner's books had been relied on heretofore, as furnishing the only data, from which to ascertain the number of legal voters in the State. The bill under consideration, imposed additional duties on the Commissioners of Tax. They are to ascertain, and report all who will be entitled to vote for representatives in 1847; not only to report all who are entitled to vote at the time of taking in the lists, but to make all necessary inquiries to enable them to determine who will be legal voters in August next. The expense attending the plan proposed by the

Senator from Breckinridge, made it objectionable. The county courts would in all probability, in almost every case, select the same individuals to perform this duty, who had served as Tax Commissioners, as by the time provided in the amendment proposed, for them to commence their labors, they would have finished their tax lists; and thus, an additional sum of 4 or 5000 dollars must be paid them for this service. He was anxious to have this business done fairly; was willing and desirous that those who were absent fighting the battles of their country, should have a voice in the matter. Many of those however who have left the State, have died, and many more will probably settle elsewhere and never return; these certainly should not be enumerated, so as to be considered against a convention.

Mr. PEYTON withdrew his amendment, and offered the following in lieu of it:

Insert after the word 1847, in the 7th section of the substitute.—That said Commissioners ascertain the number of persons absent in the service of this State or of the U. States, who are entitled to vote in the respective counties of this State, and report the same, in the same manner that persons who may be in the State are required to be reported.

Mr. BOYD was desirous, whatever might be his own views on the question, to satisfy the friends of a convention in the arrangement of this bill. He could not approve the amendment proposed by the Senator from Breckinridge. It would be improper for the Commissioners to include in their enumeration, the names of absent voters. During their absence, they could not vote, and should not, therefore, be reported as voters, to be counted against a convention.

Mr. PEYTON.—The Constitution does not contemplate a vote between those who vote for, and those who vote against a Convention, but merely provides, that a poll shall be opened for those who vote for a Convention, and declares that all others shall be counted against it. Two facts are to be ascertained by the next Legislature, 1st. The whole number of legal voters in the State; 2d. The proportion of this number who have voted for a Convention. The Legislature is left free to adopt the best mode for ascertaining the former. Who are entitled to vote? The argument of the Senator from Fleming amounts to this—a man may have a right to vote, but it is not in a condition to exercise that right, then, he has no right. This would be indeed the mere mockery of right. Can it be said that the existence of a right depends upon the ability at any moment to exercise it? By no means.

Those of our citizens who have volunteered in defense of their country, still retain their rights of citizenship, and any effort to disfranchise them, is an outrage, which should not be tolerated.

The amendment does not provide for counting dead men's votes, but merely guards the rights of our fellow-citizens who are now periling their lives in the cause of their country. He was not wedded to his own proposition; his object was to perfect the bill, so far as he was able. If the next Legislature should believe that proper steps have not been taken to ascertain the true number of legal voters in the State, then the whole of this proceeding will be vain, and worthless.

Mr. SWOPE.—The Senator from Breckinridge misunderstood him in intimating that a poll must be opened both for, and against a Convention. He had not said so. He contended for the correctness of his former proposition. What constitutes the right to vote? Age, residence, and personal presence.

The last is as essential as either of the first two. A man can not vote by proxy. A volunteer in the Mexican army, cannot by power of attorney, however well authenticated, authorize A. B. to vote in his name for a Convention. There is no impropriety in excluding these soldiers from the enumeration. The law does not disfranchise them. They by their own voluntary act, have suspended the exercise of this right. He participated in the universal admiration felt for the bravery and patriotism of these citizen soldiers, who had left their families and friends, to encounter the perils and hardships of the campaign, but there were other rights to be guarded, as well as those of the soldiers. He would ask the honorable Senator, and others, were not the rights of the cattle driver, who might be absent from the State, to be protected equally with those of the soldier, or any other! He considered this a matter of importance, as it would to some extent affect the question of a majority for the Convention.

Leave was granted Mr. WORTHAM to bring in a bill in relation to guardians; referred.

To Mr. MORTON—a bill to change a name; referred.

The SPEAKER laid before the Senate, the report of the Trustees of the Cumberland Hospital; referred.

Also—the annual report of the Keepers of the Penitentiary, which was referred to the Committee on the Penitentiary, and 500 copies ordered to be printed.

On motion, the Senate adjourned.

pele of the State might take advantage of their absence, and revolutionize the Government, such a thing was preposterous.

Mr. HELM.—Under the bill, the commissioners are required to report all legal voters, and all who are but temporarily absent, are legal voters, and of course included in the bill. Through abundant caution however, and to have the soldiers expressly provided for in the bill, he would vote for the amendment.

The amendment proposed by Mr. Peyton, as also an amendment proposed by Mr. Helm, providing for an oath to be administered to the commissioners were adopted and then the substitute proposed by Mr. Harris, for the original bill, as thus amended, was adopted.

The committee then rose, and reported the bill to the Senate.

On motion of Mr. Taylor, the amendment proposed by Mr. Peyton, and adopted in committee of the whole, was stricken out.

Mr. TAYLOR proposed to insert in lieu thereof, the following, viz:

“And the Commissioners, in taking said list, shall include in said list, the names of all such qualified voters who may be absent from the State at the time of taking the said list, either in the army or otherwise.”

The yeas and nays being demanded upon this motion, resulted as follows, viz:

YEAS—Messrs. Bradley, Bramlette, Crenshaw, Fox, Helm, Henderson, Holloway, Key, Patterson, Peyton, Russell, Slaughter, Taylor, Todd and Walker.—15.

NAYS—Messrs. Ballard, Boyd, Brien, Bristow, Butler, Dradlin, Evans, Hardin, Harris, Hawkins Head, James, Marshall, McNary, Rice, J. Speed, Smith, South, Swope, Thomas, Thornton, Thurman, Wall and Williams—23.

Mr. BUTLER offered the following amendment, viz:

Insert after the word 1847, in the 7th section of the bill, the following:—“Including those who may be absent engaged in the service of their country, or absent from any other cause.”

The yeas and nays being demanded were as follows, viz:

YEAS—Messrs. Bradley, Butler, Dradlin, Fox, Helm, Henderson, Holloway, Key, McNary, Peyton, Rice, Russell, Slaughter, J. Speed Smith, Taylor, Thurman, Todd and Walker—18.

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The bill was then put upon its final passage, and the yeas and nays being demanded, were as follows:

YEAS—Messrs. Ballard, Boyd, Bradley, Bramlette, Brien, Crenshaw, Evans, Hardin, Harris, Head, James, Marshall, McNary, Patterson, Rice, Russell, J. Speed Smith, South, Swope, Taylor, Thomas, Thornton, Thurman, Wall and Williams—30.

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